

**CITY GOVERNMENT
OFFICIAL PROCEEDINGS OF CITY COUNCIL
SAVANNAH, GEORGIA
MAY 1, 2014**

The regular meeting of Council was held this date at 2:00 p.m. in the Council Chambers of City Hall. The Invocation was given by Dyanne Reese, Clerk of Council followed by the Pledge of Allegiance to the Flag.

PRESENT: Mayor Pro-Tem Van Johnson, II, Presiding
Alderman Tony Thomas, Chairman of Council
Alderman Mary Osborne, Vice-Chairman of Council
Aldermen Mary Ellen Sprague, Estella Shabazz, John Hall,
Tom Bordeaux and Carol Bell

City Attorney W. Brooks Stillwell
Assistant City Attorney William Shearouse

ABSENT: Mayor Edna Jackson (out of town)
City Manager Stephanie Cutter (out of town)
Assistant City Attorney Lester B. Johnson, III

MINUTES

Approval was given for the Mayor Pro-Tem to sign an affidavit and resolution on litigation for an Executive Session held today where no votes were taken. (SEE RESOLUTIONS).

Upon motion of Alderman Osborne, seconded by Alderman Bell and unanimously carried the agenda was amended to add item 20.1 appointments to the Historic District Board of Review and item 20.2 settlement of a lawsuit with Liberty Mutual concerning Savannah River Landing Bonds.

Upon motion of Alderman Osborne, seconded by Alderman Thomas and unanimously carried the Summary/Final minutes of the City Manager's briefing of April 17, 2014 were approved.

Upon motion of Alderman Osborne, seconded by Alderman Thomas and unanimously carried the Summary/Final minutes of the City Council meeting of April 17, 2014 were approved.

Upon motion of Alderman Osborne, seconded by Alderman Thomas and unanimously carried the Summary/Final minutes of the Special City Council meeting of April 17, 2014 were approved.

PRESENTATIONS

**A RESOLUTION ACKNOWLEDGING THE LIFE AND ACCOMPLISHMENTS OF
AARON L. BUCHSBAUM WHO DIED ON APRIL 12, 2014.**

Whereas: Aaron L. Buchsbaum a Savannah lawyer was a passionate advocate of social

justice, classical music and public radio and brought a measure of each to his hometown as a key figure in the civil rights movement, helping to desegregate Savannah institutions and the state jury system, died on Saturday, April 12 at the age of 83 of complications from Alzheimer's disease; and

Whereas: Aaron Levy Buchsbaum was the son of Herbert Buchsbaum, co-owner of Buchsbaum Brothers wholesale grocery, and Sarah Levy Buchsbaum, daughter of the founder of Levy Jewelers, for whom Aaron was named attended Massie School, behind his house on Gaston Street, and Savannah High School. He graduated from Tulane University with a BBA in 1952 and from Emory University Law School, with honors and as editor-in-chief of the Journal of Public Law, in 1954. He served in the Army as a specialist first class with the Army Audit Agency in Paris. He was admitted to the bars of Georgia, the United States Supreme Court and other federal courts; and

Whereas: Aaron L. Buchsbaum was a concert organizer, bringing world-renowned musicians to the city. He was a founder of Savannah's first public radio station. He practiced law for more than 50 years, and was best known for his civil rights work in the early 1960s, receiving the NAACP Freedom Award in 1991; and

Whereas: Aaron L. Buchsbaum grew up in Savannah in the 1930s, and was confronted with widespread poverty and racism witnessing abuses he could not comprehend nor accept. As a lawyer, undaunted by occasional defeats, he never stopped working to end injustice and inequality. In the early 1960s, he successfully challenged legal practices used to jail civil rights demonstrators in Savannah as he believed that people should be treated fairly, regardless of their race, religion, sex, age or anything else; and

Whereas: Aaron L. Buchsbaum worked countless hours pro bono and to establish and expand organizations to represent the poor. In 1966, he became president of the Legal Aid Society of Savannah, and later the, Georgia Legal Services serving a president, from 1976 to 1981. He served as attorney for the Economic Opportunity Authority and the Chatham County Association of Educators; and

Whereas: He served twice as chairman of the United Jewish Appeal, the board of the Savannah Jewish Council, the executive committees of the National Jewish Community Relations Advisory Council, serving as vice chairman from 1971 to 1976 and a lifetime member of the southeastern advisory board of the Anti-Defamation League. He served on the board of Savannah Landmark Rehabilitation Project, a nonprofit organization that renovated housing for low-income tenants and he successfully worked to save the 1921 Lucas Theatre; and

Whereas: He is survived by his wife of 58 years, the former Esther Rosenbaum of Atlanta; their four children, Herbert, Lauren, Susan and Elizabeth; and four grandchildren, Emma Louise Buchsbaum, Sarah Lea Gratz, David Matthew Gratz and Isabella Pearl Levine; a daughter-in-law, Letta Tayler; and son-in-law, Jeffrey Gratz.

Now, Therefore, Be it Resolved that The Mayor and Aldermen of the City of Savannah on behalf of its citizens, join those who mourn the loss of Aaron L. Buchsbaum by celebrating his

life of service to his city, state and nation by making this resolution a part of the permanent record of the City of Savannah Council meeting of May 1, 2014 and presenting a copy to his family.

Be it further resolved that we acknowledge the many personal and professional sacrifices of Aaron L. Buchsbaum in ending racial discrimination and promoting changes in our local and state judicial system as a trailblazer; leaving an outstanding and historic legacy as a public servant.

Adopted and Approved May 1, 2014. Upon a motion of Alderman Osborne, seconded by Alderman Sprague and unanimously carried.

Mrs. Buchsbaum thanked Council for the Resolution and for honoring her late husband. Mayor Pro-Tem Johnson thanked Mrs. Buchsbaum, family and friends for coming to Council and stated it is important that we understand our history so the younger generation will know of the many accomplishments to the City of Savannah by Mr. Buchsbaum.

Sarahlyn U. Argrow, Executive Director/Founder of AWWIN, Inc., appeared to extend a special invitation to the AWWIN Top Ten Gala at the Mighty Eighth Air Force Museum on Friday, May 9, 2014 at 7:00 p.m. Ms. Argrow invited Council and the community to attend the event and outlined some of the awards that will be presented at the Gala. The proceeds from the Gala will go towards single working women and their children. Alderman Bell thanked Ms. Argrow on behalf of Council and women in the community for all she does to enhance the quality of life for women over the years.

Rob Gibson, Executive and Artistic Director of the Savannah Music Festival, appeared concerning the 2014 Festival. Mr. Gibson stated the Festival was a huge success this year and possibly the most successful of all the years. There were nearly 40,000 paid attendees this year.

Jack Novack, an Eagle Scout candidate who recently completed an Eagle Scout project to remove underbrush and interior trees around the seating area of the Waving Girl statue in Morrell Park, with the support of the Park and Tree Commission appeared. Mr. Novack would like to propose additional work in Morrell Park to further improve visibility of the statue to maritime vessels in the Savannah River. Alderman Hall thanked Mr. Novack for all his hard work and wished him well in his next steps in the process. Alderman Sprague congratulated him and asked if his future plans were acceptable with Park & Tree. Walt Harper, Park & Tree Commission Chairperson stated the Commission is pleased with Mr. Novack's plans and have given him the blessings of the Park & Tree Commission and Jerry Flemming.

LEGISLATIVE REPORTS

ALCOHOLIC BEVERAGE LICENSE HEARINGS

As advertised, the following alcoholic license petitions were heard. No one appeared in objection to the issuance of these licenses.

Ashley Bignault for La Xalapena Mexican Taquitos, LLC, requesting a beer and wine (drink) license with Sunday sales at 2308 Skidaway Road, which is located between E. 39th and E. 40th Streets in District 3. (New request/existing business) Recommend approval. (The hearing was continued from the meeting of April 17, 2014.) Ernestina Ortiz-Suarez and Edna Ortiz appeared. Edna Ortiz stated Ashley Bignault would not be present due to medical reasons. Alderman Hall asked Ms. Ortiz-Suarez if she understood having an alcohol license is a privilege and not a right and comes with certain rules and regulations that she must abide by; if she doesn't abide by those rules and regulations the license can be revoked; if she promised to comply with those rules and regulations and if she could read and write the English language. Mr. Ortiz-Suarez responded yes to all questions. Hearing closed upon motion of Alderman Hall, seconded by Alderman Sprague and unanimously carried. Alderman Hall moved to approve the license and it was seconded by Alderman Sprague and unanimously carried.

Brendan Pappas for Trompe Le Monde, LLC t/a Kayak Kafe Midtown, requesting a liquor, beer and wine (drink) license with Sunday sales at 5002 Paulsen Street, which is located between 66th and 67th Streets in District 4. Blue Turtle Restaurant operated from this location, dispensing liquor, beer and wine (drink) with Sunday sales until it closed December 31, 2013. The applicant currently owns Kayak Kafe, which is located at 1 E. Broughton Street in District 1. (Existing business expanding to additional location) Recommend approval. Alderman Bordeaux asked Mr. Pappas if he understood having an alcohol license is a privilege and not a right and comes with certain rules and regulations that he must abide by; if he doesn't abide by those rules and regulations the license can be revoked; if he promised to comply with those rules and regulations and if he could read and write the English language. Mr. Pappas responded yes to all questions. Hearing closed upon motion of Alderman Osborne, seconded by Alderman Thomas and unanimously carried. Alderman Thomas moved to approve the license and it was seconded by Alderman Sprague and unanimously carried.

ZONING HEARINGS

Monique Armstrong, Petitioner (MPC File No. 14-000641-ZA), requesting a text amendment to Article B (Zoning Districts), Sec. 8-3030 (Historic District), (n) (12) Fences, trellis, and walls to allow a 32 inch tall wooden picket fence in the tree lawn at 554 E. Taylor Street. The Metropolitan Planning Commission (MPC) recommends denial. On February 13, 2013 the Historic District Board of Review denied an after-the-fact petition for the fence installed around the tree lawn adjacent to the property at 554 E. Taylor Street. A case against the petitioner in Recorder's Court for non-compliance has been continued to allow time for her petition for a text amendment to be acted on by the Mayor and Aldermen. The proposed text amendment is not consistent with the policies and ordinances which govern objects in tree lawns. (The hearing was continued from the meeting of April 17, 2014.) Recommend denial. Mayor Pro-Tem Johnson stated there was considerable discussion regarding this issue and acknowledging the fine job Ms. Armstrong has done. Alderman Osborne stated she would like to point out that the City has encouraged residents in the past to take good care of their tree lawns and Ms. Armstrong has done that and has made it a landmark for the historic district, she said it adds beauty and charm to the East Broad Street corridor. Alderman Thomas stated not only has the City encouraged residents to take ownership it has abandoned the maintenance of tree laws. A memo was sent to the residence and he commended Ms. Armstrong for the great job she has done. At that time the City of Savannah was looking for ways to get residents to take ownership and pride in them. He

stated it looks better the way she has maintained it and applauded her for a job well done. Mayor Pro-Tem Johnson stated although Ms. Armstrong has maintained the tree lawn she broke the rules which is why the recommendation is for denial. Hearing closed upon motion of Alderman Osborne, seconded by Alderman Bordeaux and unanimously carried. Upon motion of Alderman Bell, seconded by Alderman Hall and unanimously carried the item was returned to MPC for further review.

Robert McCorkle, Agent (MPC File No. 14-000638-ZA), requesting to rezone 5108 Skidaway Road from R-6 (Single Family Residential – 6 units per net acre) to O-I (Office Institutional) and approval of a request to amend the Tri-Centennial Comprehensive Plan Future Land Use Map to change the future land use category of the property from Suburban Single Family Residential to Commercial Neighborhood. With limited uses, the O-I district is a compatible non-residential district for the subject property. Other uses permitted by the district, including medical and general offices, childcare centers, and cultural facilities would not be out of character or incompatible with the existing uses provided that appropriate development standards are in place. The proposed zoning district is consistent with the Future Land Use Map. Recommend approval. Alderman Hall stated he had a concern and asked Mr. Lotson why the traffic count from 2011 is still being used. Mr. Lotson replied there was no traffic data available for St. John's Avenue because it's a local street however, regarding the Skidaway Road information it was the most recent data available. Alderman Hall stated he doesn't accept the figures presented for the Skidaway Road corridor. He also asked Mr. Lotson to confirm that the property fronts Skidaway Road. Mr. Lotson replied that is correct the information came from the International Transportation Association. Alderman Hall stated he isn't against the change he just doesn't agree with the traffic counts provided. He asked Mr. Lotson if the structure on the lot is what will be there after the change is made. Mr. Lotson replied yes. Alderman Hall then asked will it be a childcare center. Mr. Lotson replied the applicant stated his intent is to go into a lease agreement with someone that will establish a childcare center at the location. Hearing closed upon motion of Alderman Hall, seconded by Alderman Sprague and unanimously carried. Approved per the City Manager's recommendation upon motion of Alderman Hall, seconded by Alderman Thomas and unanimously carried. **Ordinance to cover will be drawn up for presentation at the next meeting of Council.**

PETITIONS

Ameir Mustafa of Signs for Minds, representing Don Callahan (Business and Property Owner) – Petition 140072, requesting that the City allow encroachment within the Waters Avenue right-of-way for the installation of a cantilevered metal canopy over the sidewalk. The subject property is located at 3107 Waters Avenue; more specifically on the west side of Waters between Washington Avenue and 48th Street. The flat, slatted, metal canopy as designed is approximately 24'-0" wide x 10" high, projecting from the building approximately 3'-4" and will provide 12'-0" of vertical clearance.

This request has been reviewed by Public Works and Water Resources and Development Services with no objections noted. Approval is subject to: 1) the property owner entering into the City's standard Revocable License Encroachment Agreement, and 2) obtaining all applicable building permits.

Recommend approval to allow encroachment within the Waters Avenue right-of-way for the installation of a cantilevered metal canopy as requested by Ameir Mustafa through Petition 140072, subject to the conditions noted. Approved upon a motion by Alderman Sprague, seconded by Alderman Osborne and unanimously carried, per the City Manager's recommendation.

O. Douglas Boyce (Architect and Applicant), representing Dr. Brad Durham (Property Owner) – Petition 140101, requesting that the City allow encroachment within the Abercorn Street right-of-way for the construction of roof eaves. The subject property is addressed as 1317 Abercorn Street; more specifically on the northwest corner of the Abercorn/Anderson Streets intersection (location of Dr. Durham's dental office). Dr. Durham is currently planning renovations, extending the Abercorn Street façade to the property line, and adding a 2-story tower. Both the first and second floor additions as designed include roof eaves that cross over the property line by 2'-9". Per Mr. Boyce, these eaves do not extend over the sidewalk, but only to the edge of it. A planting area will remain between the building façade and sidewalk.

This request has been reviewed by Public Works and Water Resources, Development Services, and Park and Tree with no objections offered. Approval is subject to: 1) the property owner entering into the City's standard Revocable License Encroachment Agreement, and 2) obtaining all applicable building permits. Although not required, it is recommended the architect consider a gutter system to protect pedestrians from the roof water run-off.

Recommend approval to allow encroachment within the Abercorn Street right-of-way for the construction of roof eaves that extend over the property line as requested by O. Douglas Boyce through Petition 140101, subject to the conditions noted. Approved upon a motion by Alderman Thomas, seconded by Alderman Sprague and unanimously carried, per the City Manager's recommendation.

David Holton of Buckley & Associates (Architect and Applicant), representing the Chatham County Board of Education (Property Owner) – Petition 140107, requesting that the City allow encroachment within the Andover Street right-of-way for the construction of bus canopies and the installation of decorative fencing. The subject school property is addressed as 414 Lee Boulevard (known as Heard Elementary School); located more specifically within the Oakdale Neighborhood. The School Board is currently planning renovations to the existing facility, and would like to remove and replace the existing bus canopies along Andover Street and plans to install new decorative fencing to enclose a courtyard-type area (of which a partial amount crosses into the right-of-way).

This request has been reviewed by Public Works and Water Resources, Development Services, Sanitation and Fire. Approval is subject to the following: 1) the property owner entering into the City's standard Revocable License Encroachment Agreement; and 2) Public Works and Water Resources has determined the existence of a stormwater line in close proximity of the petitioner's requested encroachment, taking no exception to the petition as stated and subject to the following conditions. The petitioner will be required to accurately field locate the stormwater line in both the horizontal and vertical and shall clearly show said stormwater line on the construction plans in such a manner as to clearly indicate any potential conflicts of construction. The petitioner shall submit, in both plan and profile, appropriate drawings to the

Stormwater Department for approval of proposed encroachments and any potential construction conflicts. Approval from the Stormwater Department shall be obtained in writing prior to any construction within the encroachment area. The petitioner shall be responsible for any cost associated with removal and/or replacement of any facilities covered under the encroachment permit as necessary for the City to operate, maintain, and/or replace its infrastructure including all work associated with customary open excavations; and 3) obtaining all applicable building permits.

Recommend approval to allow encroachment within the Andover Street right-of-way for the construction of bus canopies and the installation of decorative fencing as requested by David Holton through Petition 140107, subject to the conditions noted. Approved upon a motion by Alderman Thomas, seconded by Alderman Sprague and unanimously carried, per the City Manager's recommendation.

Neil Dawson (Architect and Applicant), representing Oceanside Resorts, Inc. (Property Owner) – Petition 140121, requesting that the City allow encroachment within the Factors Walk right-of-way for the installation of compressor units, an exhaust duct, and awnings. The subject property is addressed as 125 E. River Street, Unit 4; located more specifically on the east side of the Barnard Street Ramp within lower Factors Walk (former location of Cobblestone Café). The petitioner is currently planning a renovation to the space in order to accommodate a new restaurant. The plans call for two (2) new compressor units to be installed outside the building façade to be mounted in the vicinity of existing equipment serving other adjacent restaurants. The duct work is needed to vent restrooms, and will be routed up the façade and underneath the overhead deck. The former Cobblestone Café had awnings installed over each doorway. These are currently removed to be recovered, and plans call for reinstallation. There is no record of a previous approval for the awnings and therefore the petitioner has been asked to include these "existing" awnings in the request.

This request has been reviewed by Public Works and Water Resources, Development Services, Sanitation, and Citizen Office. Approval is subject to: 1) the property owner entering into the City's standard Revocable License Encroachment Agreement, 2) obtaining all applicable building permits, 3) Traffic Engineering requests that installation of the awnings is subject to the relocation of existing light fixtures, to be mounted on the opposite wall of Factors Walk (across from the restaurant entrance), to ensure proper lighting of the area, and 4) approval from the Historic District Board of Review.

Recommend approval to allow encroachment within the Factors Walk right-of-way for the installation of compressor units, an exhaust duct, and awnings as requested by Neil Dawson through Petition 140121, subject to the conditions noted. Approved upon a motion by Alderman Thomas, seconded by Alderman Sprague and unanimously carried, per the City Manager's recommendation.

Dr. Walter and Linda Evans (Applicants and Property Owners) – Petition 140124, requesting that the City allow encroachment within the Gaston Street right-of-way for the construction of a stoop/stairs, and the installation of handrails and an in-ground planting bed, and encroachment within the Alice Street right-of-way for the construction of a raised landing. The subject property is addressed as 466 Martin Luther King (MLK), Jr. Boulevard; located more specifically on the east side of MLK between Gaston and Alice Streets. The subject property is

currently under construction, and due to unforeseen elevation issues, the petitioner is proposing encroachment to resolve access into the building. Plans call for a stoop and stairs within the Gaston Street sidewalk which will extend approximately 4'-1" from the building façade (leaving approximately 4'-3" to the edge of curb), and will include metal handrails. An in-ground planter bed is proposed adjacent to the stoop and flush to the sidewalk. Additionally plans call for a raised landing outside of the north building façade, within the Alice Street sidewalk, to accommodate the change in elevation and to provide access into the building.

This request has been reviewed by Public Works and Water Resources, Development Services, and Park and Tree. Approval is subject to the property owner: 1) entering into the City's standard Revocable License Encroachment Agreement, 2) obtaining all applicable building permits, and 3) receiving a Certificate of Appropriateness from the Historic District Board of Review.

Recommend approval to allow encroachment within the Gaston Street and Alice Street right-of-ways for the construction of stoops and the installation of handrails and an in-ground planting bed as requested by Dr. Walter and Linda Evans through Petition 140124, subject to the conditions noted. Approved upon a motion by Alderman Thomas, seconded by Alderman Sprague and unanimously carried, per the City Manager's recommendation.

Angela Bean of Doug Bean Signs (Applicant), representing the Brice Hotel/KHP III Savannah LLC (Property Owner) – Petition 140125, requesting that the City allow encroachment within the E. Bay Street right-of-way for the installation of a principal use sign over the sidewalk. The subject property is 601 E. Bay Street (location of the former Mulberry Inn). The sign, as designed, is approximately 13'-6" high x 2'-6" wide (4'-0" wide at the lower section), projecting 5'-8", and will provide approximately 14'-0" of vertical clearance above the sidewalk. The sign will be mounted on the Bay Street façade at the corner of Houston Street.

This request has been reviewed by Public Works and Water Resources, and Development Services with no objections offered. Approval is subject to: 1) the property owner entering into the City's standard Revocable License Encroachment Agreement, and 2) obtaining all applicable building permits.

Recommend approval to allow encroachment within the E. Bay Street right-of-way for the installation of a principal use sign over the sidewalk as requested by Angela Bean through Petition 140125, subject to the conditions noted. Approved upon a motion by Alderman Hall, seconded by Alderman Sprague and unanimously carried, per the City Manager's recommendation.

Lawrence R. Daiss, Owner of Bubba Daiss Automotive – Petition 13208, requesting that the City declare surplus and grant a quit-claim deed for an unopened right-of-way located adjacent to, and between, his properties at 4219 Bull Street and 14 W. 59th Street. These two properties and the unopened lane are used to store vehicles in conjunction with his vehicle repair business directly across W. 59th Street at 4307 Bull Street. Recommend denial. Alderman Shabazz stated this particular lane belongs to the City of Savannah and she doesn't think it would be a good idea to quit claim the property to Mr. Daiss. Mayor Pro-Tem stated the City of Savannah has determined to quit claim this piece of property would not be in the best interest of the City at this

time. Per the City Manager's recommendation the petition was denied upon a motion by Alderman Bell, seconded by Alderman Osborne and unanimously carried.

ORDINANCE

First Readings

Rezone 540 Selma Street (MPC File No. 14-000778-ZA). An ordinance to rezone 540 Selma Street from B-C (Community Business) to R-B-C-1 (Residential Business Conservation-Extended). Recommend approval. (The petitioner has requested first reading only today.)

ORDINANCES

First and Second Readings

Ordinance read for the first time in Council May 1, 2014, then by unanimous consent of Council read a second time, placed upon its passage, adopted and approved upon a motion by Alderman Thomas, seconded by Alderman Shabazz and unanimously carried.

AN ORDINANCE TO REZONE 2010 E. PRESIDENT STREET FROM PUD-B-C (PLANNED UNIT DEVELOPMENT - COMMUNITY BUSINESS) TO R-M-27 (RESIDENTIAL MULTI-FAMILY 27 UNITS PER NET ACRE).

AN ORDINANCE

To Be Entitled

AN ORDINANCE TO REZONE CERTAIN PROPERTIES FROM THEIR PRESENT PUD-B-C ZONING CLASSIFICATION TO A R-M-27 AND A B-C ZONING CLASSIFICATION; TO AMEND THE FUTURE LAND USE MAP; AND, TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HERewith; AND FOR OTHER PURPOSES:

BE IT ORDAINED by the Mayor and Aldermen of the City of Savannah in a regular meeting of Council assembled and pursuant to lawful authority thereof:

SECTION 1: The following described property be rezoned from its present PUD-B-C zoning classification to a R-M-27 and B-C zoning classification:

BOUNDARY DESCRIPTION

Portion of parcel 2-0008 -01-001 to be rezoned to **RM-27**:

Commencing from a point [X: 1000487.954038 Y: 754401.779885], located at the approximate intersection of the centerlines of the West bound lane of East President Street and Wahlstrom Road, thence proceeding in a Northeasterly [N 20-48-37 E] direction along the centerline of Wahlstrom Road for approximately 300 ft. to a point, said point being, THE POINT OF BEGINNING thence continuing in a Northeasterly direction [N 20-48-37 E] along the centerline of Wahlstrom Road for approximately 370 ft. to a point, thence proceeding in a Southeasterly direction [S 88-33-19 E] along a line for approximately 1206.7 ft. thence proceeding in a Southwesterly direction [S 25-38-20'W] along a line for

an approximately 995.6 ft. to a point, a point located on the approximate centerline of the West bound lane of East President Street, thence proceeding in a Northwesterly direction [N 73-32-32 W] along the centerline of the West bound lane of East President Street for approximately 545.6 ft. to a point, thence proceeding in a Northeasterly direction [N 18-47-46 E] along a line for approximately 300 ft. to a point, thence proceeding in a Northwesterly direction [N 73-26-10 W] along a line for approximately 501.4 ft. to a point, said point being, THE POINT OF BEGINNING.

BOUNDARY DESCRIPTION

Portion of parcel 2-0008 -01-001 to be rezoned to B-C:

Beginning at a point [X: 1000487.954038 Y: 754401.779885], located at the approximate intersection of the centerlines of the West bound lane of East President Street and Wahlstrom Road, said point being, THE POINT OF BEGINNING thence proceeding in a Northeasterly [N 20-48-37 E] direction along the centerline of Wahlstrom Road for approximately 300 ft. to a point, thence proceeding in a Southeasterly direction [S 73-26-10 E] along a line for approximately 501.4 ft. to a point, thence proceeding in a Southwesterly direction [S 18-47-46 W] along a line for approximately 300 ft. to a point, a point located on the approximate centerline of the West bound lane of East President Street, thence proceeding in a Northwesterly direction [N 73-22-10 W] along the centerline of the West bound lane of East President Street, for an approximately 512 ft. to a point, said point being, THE POINT OF BEGINNING.

The property is further identified by the Property Identification Number as follows:
2-0008-01-001

SECTION 2: Upon the recommendation of the Metropolitan Planning Commission and after a public hearing and required findings, the Mayor and Aldermen approve a change to the Chatham County-Savannah Tricentennial Comprehensive Plan Future Land Use Map from Commercial Suburban to General Residential.

SECTION 3: That the requirement of Section 8-3182(f)(2) of said Code and the law in such cases made and provided has been satisfied. That an opportunity for a public hearing was afforded anyone having an interest or property right which may have been affected by this zoning amendment, said notice being published in the Savannah Morning News, on the 28th day of March, 2014, a copy of said notice being attached hereto and made a part hereof.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

ADOPTED AND APPROVED: May 1, 2014.

Update/Amend Emergency Management Portion of City Code. An ordinance to amend the Code of Ordinances of the City of Savannah Division II – Code of General Ordinances- Part 3- Public Safety- Chapter 3. Emergency and Rescue by removing in its entirety, SS 3-3001 through 3-3014 existing Chapter 3 “EMERGENCY AND RESCUE” and implementing Chapter 3 “EMERGENCY MANAGEMENT” as written. Continued to the meeting of May 15, 2014 upon motion of Alderman Bell, seconded by Alderman Sprague and unanimously carried.

RESOLUTIONS

Emergency Operations Plan. A resolution for the adoption and promulgation of the City of Savannah Emergency Operations Plan. Recommend approval. Continued to the meeting of May 15, 2014 upon motion of Alderman Bell, seconded by Alderman Sprague and unanimously carried.

**A RESOLUTION OF THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH
AUTHORIZING THE MAYOR PRO-TEM TO SIGN AFFIDAVIT OF EXECUTIVE
SESSION**

BE IT RESOLVED by the Mayor and Aldermen of the City of Savannah as follows:

At the meeting held on the 1st day of May, 2014 the Council entered into a closed session for the purpose of discussing litigation. At the close of the discussions upon this subject, the Council reentered into open session and herewith takes the following action in open session:

1. The actions of Council and the discussions of the same regarding the matter set forth for the closed session purposes are hereby ratified;
2. Each member of this body does hereby confirms that to the best of his or her knowledge, the subject matter of the closed session was devoted to matters within the specific relevant exception(s) as set forth above;
3. The presiding officer is hereby authorized and directed to execute an affidavit, with full support of the Council in order to comply with O.C.G.A. §50-14-4(b); 17
4. The affidavit shall be included and filed with the official minutes of the meeting and shall be in a form as required by the statute.

MISCELLANEOUS

Appointments to Historic District Board of Review.

Debra Caldwell - 3 year term ending April 1, 2017. Approved upon a motion by Alderman Thomas, seconded by Alderman Bell and unanimously carried.

Justin Gunther – 3 year term ending April 1, 2017. Approved upon a motion by Alderman Thomas, seconded by Alderman Bell and unanimously carried

Tess Scheer – unexpired term ending December 31, 2016. Approved upon a motion by Alderman Thomas, seconded by Alderman Bell with the following voting in favor: Mayor Pro-Tem Johnson, Aldermen Bell, Osborne, Thomas, Sprague, Hall and Shabazz and Alderman Bordeaux voting against.

Alderman Osborne stated she wanted to bring to the attention of the citizens that there will be several vacancies on the Historic District Board of Review at the end of the year. All interested individuals should contact the Office of the Clerk of Council.

Settlement of Litigation with Liberty Mutual concerning Savannah River Landing Bonds.

City Attorney Stillwell stated the City has sued Liberty Mutual Insurance Company on three performance bonds which were posted by the former developer of Savannah River Landing,

ALR Oglethorpe, to secure the developer's obligation to complete certain infrastructure improvements at Savannah River Landing. These bonds were issued when the subdivision map for the project was filed several years ago. ALR has built much of the infrastructure, but the City has asserted substantial claims against ALR and the bonding company for faulty or incomplete construction. A settlement agreement has been reached with Liberty Mutual under which Liberty Mutual will pay the City of Savannah \$1,475,000 to discharge its bond obligations, and to dismiss the suit. The money will be applied to the costs of completing water and sewer infrastructure on the project. Approved upon a motion by Alderman Osborne, seconded by Alderman Hall and unanimously carried. **Subject to final approval of the wording of the settlement agreement by the City Attorney's Office.**

TRAFFIC ENGINEERING REPORTS

Parking Restriction and Prohibition of Commercial Truck Traffic on W. 60th Street. The Traffic Engineering Department has received complaints from residents on W. 60th Street regarding commercial truck traffic traveling through their neighborhood as well as vehicles parked on both sides of the street near Montgomery Market, hindering access for residents and emergency vehicles.

Traffic Engineering has investigated these concerns and has observed tractor-trailer trucks and panel trucks parked on W. 60th Street while delivering to Montgomery Market. W. 60th Street is not suitable for truck traffic due to its residential character and because the street itself was constructed for residential traffic and not commercial trucks. Because the street is unsuitable for truck traffic and as a result of increased traffic generated by Montgomery Market, Street Maintenance has had to repair potholes in W. 60th Street.

Additionally, Traffic Engineering has observed vehicles parked on both sides of W. 60th Street near Montgomery Market, hindering two-way traffic flow and emergency vehicle access. Parked vehicles also have been observed blocking Montgomery Market's 45-foot wide driveway on W. 60th Street. Accordingly, parking needs to be prohibited along the north side of W. 60th Street from Montgomery Street west to the residential driveway at 408 W. 60th Street for a distance of approximately 120 feet.

Recommend that truck traffic be prohibited on W. 60th Street from Montgomery Street to Meding Street and that parking be prohibited along the north side of W. 60th Street from Montgomery Street west to the driveway at 408 W. 60th Street for a distance of approximately 120 feet. Approved upon a motion by Alderman Thomas, seconded by Alderman Sprague and unanimously carried, per the City Manager's recommendation. **Ordinance to cover will be drawn up for presentation at the next meeting of Council.**

BIDS, CONTRACTS AND AGREEMENTS

Upon a motion by Alderman Bell, seconded by Alderman Thomas and unanimously carried, the following bids, contracts and agreements were approved per the City Manager's recommendations:

Canal Maintenance Program Agreement with Chatham County. Recommend approval to enter into an agreement with Chatham County for assistance in maintaining storm water canals and ditches. City staff maintains approximately 465 miles of storm water canals, ditches and drainage pipes. Chatham County provides periodic assistance with approximately 26 miles of the open ditches and canals. The agreement is for a five (5) year period and includes no direct costs or payments from Savannah to Chatham County.

Printing, Insertion and Mailing Service – Annual Contract – Event No. 1779. Recommend approval to award an annual contract for printing and mailing services from Envelopes & Forms/Sure Bill in the amount of \$58,150.00. The services include printing, insertion and mailing of Revenue, Parking and other city bills, notices and other mailings to the public. Through the outsourcing of this function, the City ensures compliance with the USPS specifications to qualify for postal discounts sorting to the lowest possible postal rates and will realize cost reductions and efficiency improvements to the existing printing of utility bills and other large mailings. Upon receipt of the files at the proposer's facility, bills and notices are usually printed and mailed within 24 hours.

The method used for this procurement was the Request for Proposal which evaluates criteria in addition to costs. The criteria for this RFP included qualifications and experience, technical capabilities, references, Minority Women Business Enterprise (MWBE) participation and fees. Twelve proposals were received and reviewed. The recommended proposer has extensive experience in the industry and has redundant facilities for back-up.

While no specific MWBE goal was set for this RFP because of the estimated contract value, a maximum of 10 points could be awarded to firms submitting MWBE participation. The recommended firm submitted participation of 20% MBE utilizing Secure Holdings.

Proposals were originally received November 11, 2013. The proposers were:

B.P.	Envelopes & Forms/Sure Bill (Duluth, GA) ^(D)	\$ 58,150.00
	QuestMark Information Management, Inc. ^(D)	\$ 61,122.00
	DataProse ^(D)	\$ 63,178.00
	Cash Cycle Solutions ^(D)	\$ 63,413.80
	Pinnacle Data Systems ^(D)	\$ 64,256.00
	Billtrust ^(D)	\$ 64,256.00
	A.B. Data, Ltd. ^(D)	\$ 69,187.72
	Dove Mailing ^(D)	\$ 74,838.00
	Moonlight Business Processing Outsourcing ^(D)	\$ 79,081.40
	Diversified Companies, LLC ^(D)	\$ 89,560.80
	Carolina Technology Associates, LLC ^(D)	\$ 94,228.04
	Commercial Mail Service ^(D)	\$ 117,511.80

Funds are available in the 2014 Budget, Water & Sewer Operating Fund/Water & Sewer Fund/Outside Printing (Account No. 521-1112-51275). A pre-bid conference was conducted and two vendors attended. ^(D)Indicates non-local, non-minority owned business.

Zero Turn Riding Mowers – Event No. 2195. Recommend approval to procure two 54 inch and four 60 inch zero turn lawn mowers from Hendrix Machinery in the amount of \$67,098.00. The zero turn lawn mowers will be utilized by the Building and Grounds, Park and Tree, and Cemetery Departments to replace units which are no longer economical to repair or operate.

Bids were awarded to the lowest bidder for each line item.

The bid was advertised, opened and reviewed. Delivery: 60 Days. Terms: Net 30 Days. The bidders were:

L.B.	Hendrix Machinery (Pooler, GA) ^(D)	\$	67,098.00
	Andy's Lawn Machinery ^(D)	(Partial bid) \$	48,800.00
	D & D Mower Shop ^(D)	\$	78,549.42

Funds are available in the 2014 budget, Vehicle Purchases/Vehicular Equipment (Account No. 613-9230-51515). A Pre-Bid Conference was conducted and no vendors attended. ^(D)Indicates non-local, non-minority owned business.

Gasoline and Diesel Fuel – Annual Contract Renewal – Event No. 2259. Recommend approval to renew an annual contract to procure transport truckloads of unleaded fuel in the amount of \$2,846,198.32 and transport diesel fuel in the amount of \$2,005,445.07 from the Sommers Oil Company for a total amount of \$4,851,643.39; tank wagon loads of unleaded fuel in the amount of \$119,357.22 and tank wagon diesel fuel in the amount of \$636,686.78 from Barrett Oil for a total amount of \$756,044.00. Barrett's original bid was \$641,332.69 and \$120,362.83. Under the local preference ordinance, Barrett agreed to match the non-local low bid for tank wagon diesel and gasoline. The fuel will be used by various City departments in vehicles and equipment. This is a cooperative bid which was solicited by Chatham County.

This is the first of four renewal options available.

Bids were originally received February 6, 2013. This bid was advertised, opened and reviewed. Delivery: As Required. Terms: Net-30 Days. The bidders were:

	Transport-Diesel	Transport-Unleaded	Tank Wagon Unleaded	Tank Wagon Diesel
L.B. Sommers Oil (Richmond Hill, GA) ^(D)	<u>\$2,005,445.07</u>	<u>\$2,846,198.32</u>	No Bid	No Bid
L.B. Barrett Oil (Savannah, GA) ^(B)	\$2,034,307.87	2,900,942.06	<u>\$119,357.22</u>	<u>\$636,686.78</u>
Strickland Oil ^(D)	No Bid	No Bid	\$119,357.22	\$636,686.78
Ports Petroleum ^(D)	\$2,006,022.33	\$2,849,911.37	\$129,065.15	\$681,537.72
Mansfield Oil ^(D)	\$2,004,175.11	\$2,849,911.37	\$122,834.28	\$652,750.92
Great Lakes Petroleum ^(D)	\$2,012,083.51	\$2,851,386.74	\$120,942.98	\$644,013.03

Proposals were originally received on March 19, 2013.

Delivery: As Needed.

Terms: Net 30 Days. The proposers were:

B.P.	New Century (Charlotte, NC) ^(D)	\$	238,668.00
	Lenovo ^(D)	\$	249,900.00
	Technology Integration Group ^(D)	\$	253,100.00
	Howard Industries ^(D)	\$	263,050.00
	Integrated Office Solutions ^(C)	\$	272,800.00
	Entre Solutions ^(B)	\$	289,195.00

Funds are available in the 2014 Budget, Computer Replacement Fund/Computer Purchases/Small Fixed Assets (Account No. 612-9240-51321). A Pre-Bid Conference was not conducted as this is an annual contract renewal. ^(B)Indicates local, non-minority owned business. ^(C)Indicates non-local, minority owned business. ^(D)Indicates non-local, non-minority owned business.

Combination Sewer Truck – Event No. 2271. Recommend approval to procure a combination sewer truck from Adams Equipment Co., Inc. in the amount of \$289,918.00. The combination sewer truck will be used by Sewer Maintenance to replace a unit which is no longer economical to operate or repair. Adams Equipment Co. will hold pricing from Event 1703 approved by Council October 31, 2013.

Bids were originally received October 1, 2013. The bid was advertised, opened and reviewed. Delivery: 90 Days. Terms: Net 30 Days. The bidder was:

L.B.	Adams Equipment (White Plains, GA) ^(D)	\$	289,918.00
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Funds are available in the 2014 Budget, Vehicle Purchases/Vehicular Equipment (Account No. 613-9230-51515). ^(D)Indicates non-local, non-minority owned business.

The following announcements were made:

Alderman Hall congratulated Ms. Eleanor Kent for being named Teacher of the Year at DeRenne Middle School.

Alderman Shabazz announced on Wednesday, May 7, 2014 Council and members of the public are invited to participate in a field exercise regarding the proposed Project DeRenne roadway alignment known as the Boulevard this morning. The Project DeRenne Field Exercise will last from 10:15 a.m. to 11:45 a.m., on Hampstead Avenue between Montgomery Street and White Bluff Road. Traffic on this stretch of Hampstead will be closed from 9 a.m. to 1 p.m. for the exercise this morning. The Boulevard proposed through the citizen-driven Project DeRenne process is expected to cut DeRenne traffic in half by sending eastbound I-516 traffic wanting to head south onto this new roadway that connects with White Bluff Road.

Alderman Shabazz also announced on May 21, 2014 from 6:30 p.m. – 7:30 p.m. at the Tatumville Community Center a Town Hall Meeting will be held for residence of the 5th District.

Alderman Sprague announced Muffins with Mary Ellen at Coffee.Deli on Habersham Street

Wednesday mornings from 6:00 a.m. – 9:00 a.m.

Alderman Bell thanked the residents of the 1st District and Mayor Pro-Tem Johnson for attending the Ask an Alderman event at the Civic Center. She stated there was a great turn out for the 1st District.

There being no further business, Mayor Pro-Tem Johnson declared this meeting of Council adjourned.

A handwritten signature in black ink, reading "Dyanne C. Reese". The signature is written in a cursive, flowing style.

Dyanne C. Reese, MMC,
Clerk of Council